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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,129	09/30/2003	Jun Eui Chang	1594.1266	3827

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EXAMINER

PHAM, MINH CHAU THI

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,129

Applicant(s)

CHANG ET AL.

Examiner

Minh-Chau T. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 7-10 and 12-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (5,984,990), in view of the Japanese Patent (JP 08182541).

McDonald discloses an air cleaning apparatus (10) comprising a cabinet provided with a top panel (12) of a predetermined area, a blowing unit (30) installed in the cabinet, and a filtering unit (28) installed in the cabinet to remove impurities from air circulated by the blowing unit (30). Claims 1-5, 7-10 and 12-31 differ from the disclosure of McDonald in that the blowing unit and the filtering unit are slidably insertable and removable from the cabinet. The Japanese reference discloses a filter at

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a desk with air cleaner wherein that the blowing unit and the filtering unit (13) are slidably insertable and removable from the cabinet (see Abstract). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the fan casing of McDonald to be slidable on the guide rails as taught by the Japanese reference in the air cleaning apparatus of McDonald so that it would be easier to provide access to the fan casing for maintenance or routine check-out of the fan.

Claims 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (5,984,990), in view of the Japanese Patent (JP 08182541), and further in view of Rosen (5,525,136).

Claims 6 and 11 call for a multilayered filtration in the filter casing. Rosen discloses a multilayered filtration including a filter (50) comprising of a fiber media mat having an entering air face (54) and leaving air face (52) wherein the fibers are packed more densely on the leaving air face (52) than on the entering air face (54) permitting the accumulation of larger particles at the air entering face of the filter and the filtration of the finer particles on the more closely packed air-leaving face (col. 4, lines 21-30), and an electrostatic filter (40). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a multilayered filtration as taught by Rosen in the filter casing of McDonald and the Japanese reference since multiple layered of the filtration media would increase the filtering efficiency of the filter to capture all different sizes of particulates in the dirt laden air passing through.

Response to Amendment

Applicant's arguments filed on November 19, 2005 have been fully considered but they are not persuasive.

Applicant amends the claims to include "the blowing unit and the filtering unit are slidably insertable and removable from the cabinet" and argues that none of the cited prior arts discloses such a feature. The Examiner drops the Lewis reference and newly introduces the Japanese reference as the secondary in the 103 rejection to show a filter at a desk with air cleaner wherein that the blowing unit and the filtering unit (13) are slidably insertable and removable from the cabinet (see Abstract), as claimed. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the fan casing of McDonald to be slidable on the guide rails as taught by the Japanese reference in the air cleaning apparatus of McDonald so that it would be easier to provide access to the fan casing for maintenance or routine check-out of the fan.

Applicant's arguments with respect to claims 1-31 have been thoroughly considered but are moot in view of the new ground(s) of rejection as discussed above.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Minh-Chau Pham
Patent Examiner
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February 1, 2005